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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,768	08/28/2000	Toshiyuki Sudo	2369.12202	5712

5514 7590 07/29/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

CHANG, AUDREY Y

ART UNIT PAPER NUMBER

2872

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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14

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see the attached note.


Audrey Y. Chang
Primary Examiner
Art Unit: 2872

Art Unit: 2872

Response to Amendment

1. The applicant is respectfully noted that the amendments/paper filed by the applicant on April 11, 2003 is not in comply with the requirement of amendment, 37 CFR 1.121 and 1.126. Applicant is respectfully noted that claims 26-48 have already been canceled in amendment filed on November 13, 2001. As required by 37 CFR 1.126, the original numbering of the claims must be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). The amendment filed by applicant on November 25, 2002, (paper number 10), is non-responsive and is not and will not be entered. (A notice of non-responsive amendment has been sent out to the applicant on March 11, 2003). The newly submitted paper contains confusedly amended and numbered claims that make the entering of the amendment very confusing. To avoid possible errors, the applicant is therefore respectfully requested to submit a new amendment, that is responsive to the final rejection mailed on July 24, 2002 and is in accordance with 37 CFR 1.121 and 1.126. The papers filed on November 25, 2002 and April 11, 2003 are denied for entry.

2. The applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Audrey Y. Chang whose telephone number is 703-305-6208. The examiner can normally be reached on Monday-Friday (8:00-4:30), alternative Mondays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 703-305-0024. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Audrey Y. Chang
Primary Examiner
Art Unit 2872

A. Chang, Ph.D.
July 22, 2003